

PATENT APPLICATION TRANSMITTAL LETTER

206497

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith for filing is the patent application of Arthur Robert Hair

for A methodology/system for the electronic sales, distribution, storage, manipulation, retrieval, playback, and copyright protection of Digital Audio Music.

Enclosed are:

☒ Two (2) sheets of drawing.☐ an assignment of the invention to _____☐ a certified copy of a _____ application.☐ associate power of attorney.☒ verified statement to establish small entity status under 37 CFR 1.9 and 1.27. _____

CLAIMS AS FILED

SMALL ENTITY

OTHER THAN A SMALL ENTITY

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	- 20 -	- 0 -
INDEP. CLAIMS	- 3 -	- 6 -
MULTIPLE DEPENDENT CLAIM PRESENT		

RATE	FEE
	\$ 170
x \$ 6 =	\$ 102
x \$ 17 =	\$ 51
+ \$ 55 =	\$ 55
TOTAL	\$ 327

OR

OR

OR

OR

OR

OR

RATE	FEE
	\$ 340
x \$ 12 =	\$ 340
x \$ 34 =	\$ 340
+ \$ 110 =	\$ 340
TOTAL	\$ 340

* If the difference in col. 1 is less than zero, enter "0" in col. 2

☐ Please charge my Deposit Account No. _____ in the amount of \$ _____.☒ A duplicate copy of this sheet is enclosed.☒ A check in the amount of \$ 327 to cover the filing fee is enclosed.☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____. A Duplicate copy of this sheet is enclosed.☐ Any additional filing fees required under 37 CFR 1.16.☐ Any patent application processing fees under 37 CFR 1.17.☐ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.☐ Any filing fees under 37 CFR 1.16 for presentation of extra claims.☐ Any patent application processing fees under 37 CFR 1.17.☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(a).June 9, 1988
date

Arthur Robert Hair
signature

REQUEST FOR ACCESS OF ABANDONED APPLICATION UNDER 37 CFR 1.14(a)

In re Application of

Arthur B. Hair

Application Number

07/206497

Filed

6-13-88

Group Art Unit

Examiner

Paper No. _____

Assistant Commissioner for Patents
Washington, DC 20231

I hereby request access under 37 CFR 1.14(a)(3)(iv) to the application file record of the above-identified ABANDONED application, which is: (CHECK ONE)

☒ (A) referred to in United States Patent Number 5191573, column Front page☐ (B) referred to in an application that is open to public inspection as set forth in 37 CFR 1.11, i.e., Application No. _____, filed _____, on page _____ of paper number _____.☐ (C) an application that claims the benefit of the filing date of an application that is open to public inspection, i.e., Application No. _____, filed _____, or☐ (D) an application in which the applicant has filed an authorization to lay open the complete application to the public.

Please direct any correspondence concerning this request to the following address:

_____

Typed or printed name

2-2-99

Date

FOR PTO USE ONLY

Approved by: _____
(Initials)

Unit: _____

2. Benefit of Prior U.S. Application(s) (35 USC 120)

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., then check the following item and complete and attach **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**.

- ☐ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**.

3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

11 Pages of specification

11 Pages of claims

1 Pages of Abstract

2 Sheets of drawing

☐ formal

☒ informal

WARNING: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. Comments on proposed new 37 CFR 1.84. Notice of March 9, 1988 (1990 O.G. 57-62).

NOTE: "Identifying indicia such as the serial number, group and unit, title of the invention, attorney's docket number, inventor's name, number of sheets, etc., not to exceed 2 1/4 inches (7.0 cm.) in width may be placed in a centered location between the side edges within three fourths inch (19.1 mm.) of the top edge. Either this marking technique on the front of the drawing or the placement, although not preferred, of this information and the title of the invention on the back of the drawings is acceptable." Proposed 37 CFR 1.84(1). Notice of March 9, 1988 (1990 O.G. 57-62).

4. Additional papers enclosed

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement (37 CFR 1.98)
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other

5. Declaration or oath

☒ Enclosed

executed by (check all applicable boxes)

☒ inventor(s).

☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43

☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.

☐ Not Enclosed.

WARNING: Where the filing is a completion in the U.S. of an International Application but where a declaration is not available or where the completion of the U.S. application contains subject matter in addition to the International Application the application may be treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all the above named inventor(s). (The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently).

NOTE: It is important that all the correct inventor(s) are named for filing under 37 CFR 1.41(c) and 1.53(b).

☐ Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.41(d).

6. Inventorship Statement

WARNING: If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.

The inventorship for all the claims in this application are:

☒ The same

or

☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

7. Language

NOTE: An application including a signed oath or declaration may be filed in a language other than English. A verified English translation of the non-English language application and the processing fee of \$130.00 required by 37 CFR 1.17(k) is required to be filed with the application or within such time as may be set by the Office. 37 CFR 1.52(d).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).

☒ English

☐ non-English

☐ the attached translation is a verified translation. 37 CFR 1.52(d).

(Application Transmittal [4-1]—page 3 of 7)

8. Assignment

- ☐ An assignment of the invention to _____
- ☐ is attached. A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1906 is also attached.
- ☐ will follow.

NOTE: "If an assignment is submitted with a new application, send two separate letters—one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).

9. Certified Copy

Certified copy(ies) of application(s)

(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)

from which priority is claimed

- ☐ is(are) attached.
- ☐ will follow.

NOTE: The foreign application forming the basis for the claim for priority must be referred to in the oath or declaration. 37 CFR 1.55(a) and 1.63.

NOTE: This item is for any foreign priority for which the application being filed directly relates. If any parent U.S. application or International Application from which this application claims benefit under 35 U.S.C. 120 is itself entitled to priority from a prior foreign application then complete item 18 on the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

10. Fee Calculation (37 CFR 1.16)

A. ☒ Regular application

CLAIMS AS FILED						
Number filed	Number Extra		Rate	Basic Fee 37 CFR 1.16(a) \$710.00		
Total						
Claims (37 CFR 1.16(c))	31	-20=	11	X	\$ 22.00	242.00
Independent						
Claims (37 CFR 1.16(b))	8	-3=	5	X	\$ 74.00	370.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))					\$230.00	

- ☐ Amendment cancelling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.
- ☐ Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 CFR 1.16(d).

Filing Fee Calculation

\$ 1,322.00

- B. ☐ Design application
(\$280.00—37 CFR 1.16(f))

Filing Fee Calculation

\$ _____

- C. ☐ Plant application
(\$460.00—37 CFR 1.16(g))

Filing fee calculation

\$ _____

11. Small Entity Statement(s)

- ☒ Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50% of A, B or C above)

\$ 661.00

NOTE: Any excess of the full fee paid will be refunded if a verified statement and a refund request are filed within 2 months of the date of timely payment of a full fee. 37 CFR 1.28(a).

12. Request for International-Type Search (37 CFR 1.104(d)) (complete, if applicable)

- ☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made At This Time

- ☐ Not Enclosed

- ☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

- ☒ Enclosed

- ☒ basic filing fee

\$ 661.00

- ☐ recording assignment
(\$40.00; 37 CFR 1.21(h))

\$ _____

- ☐ petition fee for filing by other
than all the inventors or person
on behalf of the inventor where
inventor refused to sign or cannot
be reached. (\$130.00; 37 CFR
1.47 and 1.17(h))

\$ _____

- ☐ for processing an application with
a specification in a non-English
language. (\$130.00; 37 CFR 1.52(d) and
1.17(k))

\$ _____

- ☐ processing and retention fee
(\$130.00; 37 CFR 1.53(d) and 1.21(l))

- ☐ fee for international-type search report (\$35.00;
37 CFR 1.21(e)).

\$ _____

NOTE: 37 CFR 1.21(l) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 CFR 1.53(d) and this, as well as the changes to 37 CFR 1.53 and 1.78, indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee must be paid or the processing and retention fee of § 1.21(l) must be paid within 1 year from notification under § 53(d).

Total fees enclosed

\$ 661.00

☒ **Incorporation by reference of added pages**

Check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

- ☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added 5

- ☐ Plus Added Pages For Papers Referred To In Item 4 Above

Number of pages added _____

- ☐ Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added _____

☐ **Statement Where No Further Pages Added**

(If no further pages form a part of this Transmittal then end this Transmittal with this page and check the following item)

- ☐ This transmittal ends with this page.